

NO. PD-0736-17

JOHN KENNETH LEE

VS.

STATE OF TEXAS

§ IN THE COURT OF
§ COURT OF CRIMINAL APPEALS
§ 3/14/2018
§ DEANA WILLIAMSON, CLERK
§ CRIMINAL APPEALS
§
§ OF TEXAS

**MOTION FOR LEAVE TO EXTEND TIME TO
FILE APPELLANT'S BRIEF ON THE MERITS**

TO THE HONORABLE JUDGES OF SAID COURT:

Now comes John Kenneth Lee, Appellant in the above styled and numbered cause, and moves for an extension of time of five (5) days to file appellant's brief, which was filed subsequent to this motion, and for good cause shows the following:

1. On June 15, 2017, the Court of Appeals reversed appellant's conviction. *John Kenneth Lee v. State*, 13-15-00514-CR.

2. On July 12, 2017, the State filed a petition for discretionary review in this Court, which was granted on November 15, 2017.

3. On December 12, 2017, the State's brief on the merits was filed. Appellant's brief on the merits was due on January 11, 2018. On December 21, 2017, Movant filed a letter of representation informing the Court that he had recently been appointed represent Appellant in this matter.

4. Appellant was granted a final extension until March 9, 2018, to file Appellant's brief on the merits.

5. This request for a five (5) day extension of time is for good cause and not for

purposes of delay because:

a. Movant filed Appellant's brief as soon as possible, on March 13, 2018, upon receiving notice from this Court that his brief was late on March 12, 2018.

6. Defendant is currently on bond.

WHEREFORE, PREMISES CONSIDERED, appellant respectfully requests an extension of five (5) days, i.e. until March 13, 2018, to file Appellant's brief on the merits, which was filed subsequent to this motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that on March 13, 2018, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Victoria County, 205 N. Bridge St., Ste. 301, Victoria, Texas 77901, by electronic delivery service.

/S/ Arnold K. Hayden, Jr.
Arnold K. Hayden, Jr.